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Admitted only in Maryland Admitted only in Virginia Practice Limited to Federal Agencies

May 2, 2003

WRITER'S DIRECT NUMBER: FRANKC@S.

FRANKC@S.

Art Unit(4)614

CENTER 1600290 (202) 772-8615

Commissioner for Patents Washington, D.C. 20231

Re:

U.S. Utility Patent Application

Appl. No. 09/956,980; Filed: September 21, 2001

Agents for Use in the Treatment of Alzheimer's Disease For:

Inventors:

Bush et al.

Our Ref:

0609.4550001/JAG/FRC

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Fee Transmittal Form (PTO/SB/17);
- 2. First Supplemental Information Disclosure Statement;
- 3. Listing of the cited documents on Form PTO-1449 (3 sheets);
- A copy of each of the thirteen (13) cited documents on Form PTO-1449; 4.
- 5. Our PTO-2038 Credit Card Payment Form in the amount of \$180.00 to cover the fee under 37 C.F.R. § 1.17(p); and
- 6. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Steme, Kessler, Goldstein & Fox PLLC.: 1100 New York Avenue, NW: Washington, DC 20005: 202.371.2600 f202.371.2540: www.skgf.com

Commissioner for Patents May 2, 2003 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Frank R. Cottingham

Attorney for Applicants Registration No. 50,437

Frank R. Cottigle

FRC/pcd Enclosures

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Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE sons are required to respond to a collection of information unless it displays a valid OMB control number.

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Signature

Complete if Kn wn **Application Number** 09/956,980 Filing Date September 21, 2001 First Named Inventor Bush et al. Weddington, K. **Examiner Name** 0609.4550001/JAG/FECH CENTER 1614 Group Art Unit

| TOTAL AMOUNT OF PAYMENT (\$)180.00 | | Attorne | y Docl | ket No. | 0609.4550001/JAG/片配い | MILITIE |
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| fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19- 0036. | | | | | _ | |
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| Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C. | 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| The C mmissioner is authorized to: (check all that apply) | 1502 | 50 | 2052 | 25 | Surcharge-late provisional filing fee or cover sheet | |
| Charge fee(s) indicated below Credit any over payments | 1053 | 130 | 1053 | 130 | Non-English specification | |
| Charge any additional fee(s) during the pendency of this application | 1812 | 2,520 | 1812 | 2,520 | For filing a request for ex parte reexamination | |
| \square Charge fee(s) indicated below, except for the filing fee to the above- | 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| identified deposit account. | 1805 | 1,840* | 1805 | 1,840* | | |
| | 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| | 1252 | 410 | 2252 | 205 | Extension for reply within second month | |
| FEE CALCULATION | 1253 | 930 | 2253 | 465 | Extension for reply within third month | |
| 1. BASIC FILING FEE | 1254 | 1,450 | 2254 | 725 | Extension for reply within fourth month | |
| Large Entity Small Entity | 1255 | 1,970 | 2255 | 985 | Extension for reply within fifth month | |
| Fee Fee Fee Fee Description Fee Paid | 1401 | 320 | 2401 | 160 | Notice of Appeal | |
| Code (\$) Code (\$) | 1402 | 320 | 2402 | 160 | Filing a brief in support of an appeal | |
| 1001 750 2001 375 Utility filing fee 1002 330 2002 165 Design filing fee | 1403 | 280 | 2403 | 140 | Request for oral hearing | |
| 1003 520 2003 260 Plant filing fee | 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1004 750 2004 375 Reissue filing fee | 1452 | | 2452 | | Petition to revive - unavoidable | |
| 1105 160 2005 80 Provisional filing fee | 1453 | | | 650 | Petition to revive - unintentional | |
| 1 | | | 10 | | | |
| SUBTOTAL (1) (\$) | 1501 | 1,300 | 200 | 650 | Utility issue fee (or reissue) | |
| 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE Fee from | 1502 | 470 | 2502 | 235 | Design issue fee | |
| Extra below Fee Paid | 1503 | 630 | 2503 | 315 | Plant issue fee | |
| Total Claims 20** = X = | 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| Indep. Claims 3** = | 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| | 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | 180 |
| Large Entity Small Entity Fee Fee Fee Fee Fee Description Code (\$) Code (\$) | 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1202 18 2202 9 Claims in excess of 20 | 1809 | 750 | 2809 | 375 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1201 84 2201 42 Independent claims in excess of 3 1203 280 2203 140 Multiple dependent claim, if not paid | 1810 | 750 | 2810 | 375 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1203 280 2203 140 Multiple dependent claim, if not paid 1204 84 2204 42 **Reissue independent claims | | | | | - | |
| over original patent | 1801 | 750 | 2801 | 375 | Request for Continued Examination (RCE) | |
| 1205 18 2205 9 **Reissue claims in excess of 20 | 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |
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| **or number previously paid, if greater; For Reissue, see above | Redi | uced by | Dasic I | r mig F | ee Paid SUBTOTAL (3) (\$)180.0 | |
| SUBMITTED BY | | | | | Complete (if applicable) | - |
| Name (Print/Type) Frank R. Cottingham | Regist (Attorne) | tration N | o. | | 50,437 Telephone 202-371- | 2600 |





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

In re application of:

Bush et al.

Appl. No. 09/956,980

Filed: September 21, 2001

For: Agents for Use in the Treatment

of Alzheimer's Disease

Confirmation No. 6687

Art Unit:

1614

Examiner:

Weddington, K.

Atty. Docket: 0609.4550001/JAG/FRC

First Supplemental Information Disclosure Statement

Commissioner for Patents Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed on March 5, 2002, in connection with the above-captioned application. A copy of each document is also provided.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following, concise explanation of the relevance of the non-English language document AM4 cited on Form PTO 1449:

Document AM4, DE 40 04 978 A1 is in the German language and appears to relate to the use of a synthetic complexing agent to eliminate aluminum ions as a therapy for Alzheimer's disease. An English language abstract of document AM4 is attached as document AT67.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates

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should not be construed as an admission that the information was actually published on the date indicated.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$\\$180.00\$ in payment of the fee under 37 C.F.R. \\$ 1.17(p).

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Frank R. Cottingham Attorney for Applicants

Registration No. 50,437

Date: MAY 02, 2003

1100 New York Avenue, N.W. Washington, D.C. 20005-3934 (202) 371-2600

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| ATTY. DOCKET NO. 0609.4550001/JAG/FRC | APPLICATION NO. 09/956,980 |
| APPLICANT Bush et al. | |
| FILING DATE | GROUP |

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT September 21, 2001 1614 U.S. PATENT DOCUMENTS EXAMINER CLASS SUB-CLASS FILING DATE DOCUMENT NUMBER DATE NAME INITIAL AΑ AB AC AD AE 12/21/198**** 12/06/1983 McLachlan AF2 4,419,365 01/15/1992 05/10/1994 Regtop et al. AG2 5,310,936 AΗ AI ΑJ ΑK FOREIGN PATENT DOCUMENTS EXAMINER CLASS SUB-CLASS TRANSLATION DOCUMENT NUMBER DATE COUNTRY INITIAL Yes No ALYes 08/22/1991 ИО DE 40 04 978 A1 Germany AM4 Yes No WO 94/27594 A2 . 12/08/1994 WIPO AN4 Yes WO 96/39144 A1 ' 12/12/1996 WIPO No A04 Yes 01/16/1997 WIPO AP4 WO 97/01559 A1 OTHER (Including Author, Title, Date, Pertinent Pages, etc.) ΑR AS BIOMOL Product Data for TPEN, Catalog No. AP-300, BIOMOL Research Laboratories, AT <u>65</u> Inc. Plymouth Meeting, PA DATE CONSIDERED EXAMINER

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



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FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

| ATTY. DOCKET NO. 0609.4550001/JAG/FRC | APPLICATION NO. 09/956,980 | |
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next communication to Applicant.

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FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

| ATTY. DOCKET NO. 0609.4550001/JAG/FRC | APPLICATION NO. | | | | |
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